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TRANSMITTAL FORM

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/299,724	
	Filing Date	003797.78520	
	First Named Inventor	Jonathan Kagle	
	Art Unit	2178	
	Examiner Name	Cong-Lac Huynh	
Total Number of Pages in This Submission	4	Attorney Docket Number	003797.78520

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Notice of Appeal from the Examiner to The Board of Patent Appeals and Interferences <input checked="" type="checkbox"/> Reply Brief <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	John M. Fleming, Reg. No. 56,536
Signature	
Date	October 17, 2005

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Appln. No.: 09/299,724
Reply Brief dated October 17, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Jonathan Kagle

Serial No.: 09/299,724

Filed: April 27, 1999

For: SIMPLIFIED DESIGN FOR HTML

Atty. Docket No.: 003797.78520

Group Art Unit: 2178

Examiner: Cong-Lac Huynh

Confirmation No.: 3637

REPLY BRIEF

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Sir:

This is a Reply Brief in accordance with 37 C.F.R. § 41.41 in reply to the Examiner's Answer mailed September 2, 2005. No fees are believed to be due in connection with this paper. However, should any fees be due, please charge such fees to our Deposit Account No. 19-0733.

Appellant wishes to resolve for the record a misunderstanding as to which rule applies to the Appeal Brief filed August 28, 2005. On page 2, the Examiner's Answer alleges that 37 C.F.R. 1.192(c)(7) applies: "The rejection of claims 1-68 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7)."

Appellant respectfully traverses this assertion because the Appeal Brief was (and still is) governed by 37 C.F.R. 41.37. Contrary to the assertion in the Examiner's Answer, 37 CFR 1.192(c)(7) is defunct and inapplicable to the Appeal Brief. Because 37 C.F.R. 41.37 does not

require a statement indicating claim grouping, Appellant has not waived any right to separate consideration of separately-argued claims by excluding such a statement.

As for the remaining issues, Appellant hereby incorporate by reference all arguments set forth in the Appeal Brief as though they were restated in full herein. In addition, Appellant responds herein to the section entitled “(11) Response to Argument” starting at page 17 of the Examiner’s Answer. Specifically, the Examiner’s Answer continues to specify two different things as describing Appellant’s “web page layout.”


With respect to Appellant’s claim 1 feature of, “generating a web page layout,” the Examiner’s Answer indicates that the template and sub-template system of U.S. Patent No. 6,112,242 to *Jois* describes this generating a web page layout feature. Then, with respect to Appellant’s claim 1 feature of, “receiving a predetermined selection signal indicative of a user interface selection device pointing at a selected predetermined region of the web page layout,” the Answer states that U.S. Patent No. 6,330,575 to *Moore* shows “changing the style of the header, which is a predetermined region of a web page layout ...where changing the style of the header by *clicking* on Left, Right, or Center of the header template shows a selecting device pointing at a selected predetermined region, which is the header, of the web page layout.” (Answer, page 18, emphasis added). In fact, a user selects entries on a step-by-step basis in *Moore* without any interface with a “web page layout” until generation either under the specific “Preview” tab or “Publish” tab. There is no “web page layout” of any kind in *Moore* for a user to be able to select a predetermined region of the web page layout.

Appellant provides the above statement with respect to claim 1. Similar features can be found in other claims 2-68 that are pending. Appellant continues to respectfully submit that the final rejection of claims 1-68 is improper and should be reversed.

Respectfully submitted,
BANNER & WITCOFF, LTD.

Dated: October 17, 2005

By:



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